



MINUTES WORK SESSION OF CITY COUNCIL Diamondhead, Mississippi

**Diamondhead City Hall
March 14, 2013
9:00 am**

WORK SESSION

- 1. Call to Order**—Mayor Ingraham called the meeting to order at 9:02 a.m.
- 2. Invocation**—Mayor Ingraham
- 3. Pledge of Allegiance**—Councilmember Holcomb
- 4. Roll Call**—The following members of Council were present: Mayor Ingraham, Dianne Ackerman, Hank Holcomb, Ernie Knobloch, Ron Rech, Dalton Roberson.

Upon motion by Councilmember Holcomb and second by Councilmember Ackerman at 9:06 a.m., the Council voted unanimously to go into Closed Session to determine the need for an Executive Session.

Upon motion by Councilmember Roberson and second by Councilmember Rech, the Council voted unanimously to go into Executive Session to discuss litigation and economic development matters.

Upon motion by Councilmember Holcomb and second by Councilmember Rech, the council voted unanimously to come out of Executive Session.

RETURN TO REGULAR SESSION.

Upon motion by Councilmember Holcomb at 9:20 a.m. and second by Councilmember Rech, the Council voted unanimously to return to the Regular meeting. All who were present when the closed session began were again present when the session ended. No action was taken in Executive Session.

At the regularly scheduled work session on March 14, 2013, in executive session, the City Attorney advised the Mayor and City Council that Mr. Jimmy Wade Simmons initially rejected the \$10,000.00 offer. Immediately following that rejection, suit for temporary restraining order and a preliminary and permanent injunction was filed in the Chancery Court of Hancock County, Mississippi, on March 8, 2013, by the City of Diamondhead against Jimmy Wade Simmons d/b/a JWS Enterprises. A temporary restraining order was issued on March 8, 2013, by the Chancery Court and served on Mr. Jimmy Wade Simmons on March 9, 2013. On March 9, 2013, Mr. Jimmy Wade Simmons accepted the \$10,000.00 offer, executed the Website and Domain Name Transfer Agreement, a copy of which is attached to these minutes. An agreed permanent injunction was issued on March 13, 2013, in Civil Action No. C2301-13-0138(3) in Chancery Court of Hancock County, Mississippi, a copy of which is attached to these minutes and spread upon the minutes of the Council. The City Attorney advised that all claims between the City of Diamondhead and Jimmy Wade Simmons d/b/a JWS Enterprises have been resolved.

5. **Announcements**—The next regularly scheduled Council Meeting will be convened at 6 p.m. on Monday, March 18, 2013 at 6:00 p.m. in the Council Chambers of City Hall, 5000 Diamondhead Circle.

The City Attorney departed the meeting at 9:23 am.

6. **Presentations**

- a. 2013-1062—Department of Labor Grant Employees—Following discussion, no action was taken.

7. **Citizens Wishing to Address Council, Agenda Items**

None

8. **Items for Discussion**

- a) 2013-1055—Confidentiality Agreement for Contracts and Employees—Following discussion, no action was taken.
- b) 2013-1059—Feral Hogs on the Southside—Following discussion, no action was taken.
- c) 2013-1069—Hurricane Preparedness—Following discussion, no action was taken.
- d) 2013-1070—Review of Ordinances and Committees—Following discussion, no action was taken.
- e) 2013-1073—Parks and Recreation Commission Formation—Following discussion, no action was taken.
- f) 2013-1074—Formation of a City Historical Commission—Following discussion, no action was taken.
- g) 2013-1076—Review of Application—Devil's Elbow—Following discussion, no action was taken.
- h) 2013-1079—Dog Parks—Following discussion, no action was taken.
- i) 2013-1080—Following discussion, no action was taken.
- j) 2013-1081—Following discussion, no action was taken.
- k) 2013-1083—MML Excellence Award Application—Following discussion, no action was taken.
- l) Hancock County Solid Waste Authority Meeting Update—Following discussion, no action was taken.

At 11:46 a.m., Councilmember Holcomb moved, seconded by Councilmember Ackerman, to recess the meeting until 1:10 p.m. The motion carried unanimously and the meeting was recessed.

At 1:20 p.m., Councilmember Rech moved, seconded by Councilmember Roberson, to resume the meeting. The motion carried unanimously and the meeting resumed. All who were present when the meeting recessed were again present when the meeting resumed.

REVIEW OF AGENDA ITEMS FOR THE FORMAL COUNCIL MEETING March 18, 2013

1. Communications/Announcements from the Mayor and Council

- a. The next Diamondhead City Council Work Session will be held at 9 a.m., March 28, 2013, in the Council Chambers of City Hall located at 5000 Diamondhead Circle.
- b. The next Diamondhead City Council meeting will be held at 6:00 p.m. on April 1, 2013, in the Council Chambers of City Hall located at 5000 Diamondhead Circle
- c. 2013-1068—Proclamation—Safe Digging Month

2. Presentations / Appointments

None

3. Docket of Claims—Following discussion, no action was taken.

4. VARIOUS REPORTS

Rouses Road Update—Following discussion, no action was taken.

Nvision Update—Following discussion, no action was taken.

5. FINANCIAL REPORTS—Following discussion, no action was taken.

6. Consent and Regular Agenda

- a. 2013-1078—Motion to approve a Resolution Authorizing the Mayor of the City of Diamondhead, Mississippi to Enter into the Memorandum of Agreement by and Between Hancock County, Mississippi and the City of Diamondhead on Behalf of the City of Diamondhead, Mississippi (Poll Books)—Following discussion, no action was taken.
- b. 2013-1071—Motion to Approve Memorandum of Agreement By and Between Hancock County, Mississippi and the City of Diamondhead (Poll books)—Following discussion, no action was taken.
- c. 2013-1077—Motion to Grant Permission for the Police Chief of the City of Diamondhead to Apply for a Justice Assistance Recovery Grant through the Mississippi Department of Public Safety—Following discussion, no action was taken.
- d. 2013-1082—Motion to Approve a Letter to POA Regarding Building Fees—Following discussion, no action was taken.
- e. 2013-1084— Motion to Grant Permission to the Police Chief to Apply for an Occupant Protection Grant from the MS Dept. of Public Safety, Division of Public Safety Planning in the Amount of \$4,500.27. Following discussion, no action was taken.

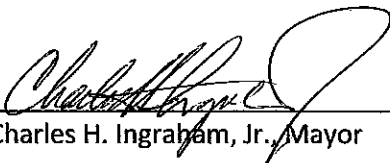
- f. 2013-1085—Motion to Grant Permission to the Police Chief to Apply for an Alcohol Countermeasures Grant from the MS Dept. of Public Safety, Division of Public Safety Planning in the Amount of \$5,696.27. Following discussion, no action was taken.

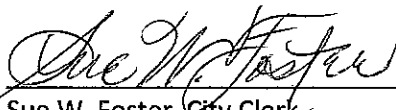
7. Ordinances and/or Resolutions pulled from the Consent Agenda

8. Citizens Wishing to Address Council, Non-Agenda Items

None

- 9. ADJOURN**—Councilmember Knobloch moved, seconded by Councilmember Rech, to adjourn the meeting. The motion carried unanimously and the meeting was adjourned at 3:29 p.m.



Charles H. Ingraham, Jr., Mayor

Sue W. Foster, City Clerk

Meeting Notice Posted at City Hall on March 12, 2013.